

May 2, 2016

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

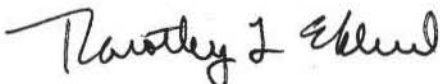
RE: CC Docket No. 02-33 - Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by K & M Telephone Company, Inc. (Study Area 371565)

Dear Ms. Dortch:

Pursuant to the Commission's *Wireline Broadband Order*, on behalf of K & M Telephone Company, Inc., we hereby provide notice of its intent to discontinue offering wireline broadband Internet access service ("WBIAS") on a tariffed basis. Effective July 1, 2016, K & M Telephone Company, Inc. plans to offer wireline broadband Internet access service on a permissive detariffed, common carriage basis.

Please direct any questions to the undersigned at the address and telephone number below or by email to teklund@consortiaconsulting.com.

Sincerely,



Timothy Eklund, Director
Settlements and Financial Analysis

cc: K & M Telephone Company, Inc.

cc: NECA Region Manager

Ms. Marlene Dortch, Secretary
Federal Communications Commission
May 2, 2016
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Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 1, 2016

K & M TELEPHONE COMPANY, INC.
(STUDY AREA 371565)
101 S. Victoria Street
P. O. Box 187
Chambers, NE 68725
Phone: 402-482-5220

CC Docket No. 02-33

May 2, 2016

K & M Telephone Company, Inc. ("Company") hereby provides notice that it intends to cease offering wireline broadband Internet access service on a tariffed basis under NECA Tariff No. 5. Effective July 1, 2016, the Company will begin offering wireline broadband Internet access service on a Title II, common carriage, permissive detariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order.¹ The geographic areas affected by the change are the Company's exchanges where DSL is technically feasible.

Today, this service is provided to the K & M Telephone Company Internet Service Provider ("ISP"). The ISP purchases wireline broadband access service for use as a component in its broadband Internet service sold to residential and business customers. End user service provided will not be affected by discontinuance of the tariffed offering by the Company. As stated in the attached customer notice, the Company will continue to offer services to the existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband Internet service sold to consumers.

Effective July 1, 2016, the Company will make its wireline broadband Internet access service available on a permissive detariffed, common carriage basis through posting of rates, terms and conditions available on its website (www.kmtel.net) and in printed copy during normal business hours at the Company's business office located at 101 S. Victoria Street, Chambers, NE 68725.

¹ See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. September 23, 2005), (Wireline Broadband Order).

K & M Telephone Company, Inc.

P.O. Box 187

Chambers, NE 68725-0187

Telephone: 402 482-5220

May 2, 2016

K & M Telephone Company Internet Service Provider
101 S. Victoria Street
Chambers, NE 68725

Re: CC Docket 02-33 – Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by K & M Telephone Company (Study Area 371565)

Dear Valued Customer:

Our records indicate that the K & M Telephone Company Internet Service Provider is currently purchasing wholesale broadband transport service from K & M Telephone Company, Inc. ("Company") under NECA tariff No. 5 ("Tariff"). This letter is to advise you that the Company, Study Area 371565, will discontinue provisioning service on July 1, 2016, pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms, and conditions will not change until at least the end of your present service arrangement or until replaced by a Broadband Commercial Agreement.

The rates, terms, and conditions will be available in printed copy during normal business hours at the Company's business office located at 101 S. Victoria Street, Chambers, NE 68725.

The actions described above are taken in accordance with the FCC's Report and Order (FCC 05-150) released September 23, 2005, in Docket No. 02-33. In this order the FCC determined that facilities-based wireline broadband Internet service providers could offer their services on a common carrier, permissively detariffed basis.

No action is necessary on your part. However, if you have any questions, please feel free to contact me.

Sincerely,



Tom Magnuson
President/General Manager

cc: NECA Region Manager

CERTIFICATE OF SERVICE

I, Timothy Eklund, Director, do certify that I have, on this 2nd day of May, 2016:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Governor Pete Ricketts
Office of the Governor
P. O. Box 94848
Lincoln, NE 68509-4848

Secretary of Defense
Attn: Special Assistant for Telecommunications
PENTAGON
Washington, DC 20301

Jeff Pursley, Executive Director
Nebraska Public Service Commission
1200 N Street, Suite 300
Lincoln, NE 68508

2. Served via paper a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

K & M Telephone Company Internet Service Provider
101 S. Victoria Street
P. O. Box 187
Chambers, NE 68725